

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, December 6, 2011**

**Present:** Commissioner President Francis Jack Russell  
Commissioner Lawrence D. Jarboe  
Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
Commissioner Todd B. Morgan  
John Savich, County Administrator  
Sharon Ferris (Recorder)

**CALL TO ORDER**

Commissioner President Russell called the business meeting to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

**APPROVAL OF MINUTES**

**Commissioner Morgan moved, seconded by Commissioner Morris, to adopt the minutes of November 22, 2011, as presented. Motion carried 4-1. Commissioner Jarboe abstained due to his absence from November 22 meeting.**

**COUNTY ADMINISTRATOR**

1. Draft Agenda for December 13, 2011. There will be no meetings on December 20 and 27, 2011.

**2. Department of Economic and Community Development (Bob Schaller, Director)**

*(Dennis Nicholson, Executive Director; Tomica Scriber, Program Manager, Housing Authority of St. Mary's County)*

**Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Rental Allowance Program (RAP) Local Program Application and Grant Agreement, RAP 12-21, from the Department of Housing and Community Development's (DHCD) Community Development Administration (CDA) in the amount of \$40,000 on behalf of the Housing Authority of St. Mary's County, Maryland for the purpose of providing short-term emergency and critical rental housing assistance to those in need in St. Mary's County. Motion carried 5-0.**

**3. Department of Aging and Human Services** (*Lori Jennings-Harris, Director; Peggy Maio, Fiscal Supervisor*)

**Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment closing the Senior Center Operating Grant, Project MD1218 because the grant funding will not be received for fiscal year 2012. Motion carried 5-0.**

**Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment closing the Medicare Improvements for Patients and Providers Act 2008 (MIPPA), project US1213, because this grant was only for two years and will not be renewed. Motion carried 5-0.**

*(Cynthia Brown, Division Manager, Human Services)*

**Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the FY2012 ADA Substance Abuse Treatment and Prevention Services Conditions of Grant Award documents and Acceptance Form for project #'s: MD1215, MD1221, MD1236, MD1237, MD1240, MD1249, MD1252, MD1254, MD1255, MD1289, MD1293, MD1294, MD1297, MD1298, MD1299, OT1253, US1223, US1224, US1253, US1255, US1257, the Sub-recipient agreements between the County and St. Mary's Hospital, and the related budget amendments. Motion carried 5-0.**

**Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the FY2012 Supplemental Funding Award documents from the Maryland Alcohol and Drug Abuse Administration for Substance Abuse Treatment and Prevention Services on behalf of the Department of Aging and Human Services, Project #s US1253, US1255, US1257, and US1223, and also the related sub-recipient agreement between the County and Walden Sierra, Inc. and the budget amendments increasing grant funds by \$102,763. Motion carried 5-0.**

**Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Homeless Women – Crisis Shelter Home Program application, MD1257, from the Maryland Department of Human Resources on behalf of the Department of Aging and Human Services in the amount of \$67,240.73 per year for the next three consecutive years to support homeless shelters and services for St. Mary's County residents. Motion carried 5-0.**

**4. Sheriff's Office (*Captain Merican, Corrections*)**

**Commissioner Morris moved, seconded by Commissioner Jones, to approve and accept the FY11 State Criminal Alien Assistance Program Award, project US1268, from The Department of Justice on behalf of the St. Mary's County Sheriff's Office for incarcerating undocumented criminal aliens in the amount of \$2,383 and to authorize Commissioner President Russell to execute the related budget amendment to increase the project budget by \$1,130. Motion carried 5-0.**

*(Brian Eley, Civilian Administrator; Pamela McKay, Accreditation Manager, Sheriff's Office)*

**Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the LGIT Training Grant Application on behalf of the Sheriff's Office in the amount of \$4,285 to provide funding assistance for staff to attend required CALEA training, and authorize the Sheriff's Office staff to complete the itemized breakdown of training costs as provided by CALEA. Motion carried 5-0.**

**5. Department of Public Safety and Information Technology (*Bob Kelly, Director*)**

**Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Emergency Management Performance Grant award, Project US1212, from the U. S. Department of Homeland Security in the amount of \$85,896, and the related budget amendment decreasing the project revenues and expenses in accordance with the actual award. Motion carried 5-0.**

**Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the 2011 Citizen Corps Program Grant Agreement, Project #US1266, from the U. S. Dept. of Homeland Security on behalf of the Department of Public Safety, for funding for the implementation of activities and training under the Community Emergency Response Team Program in St. Mary's County, in the amount of \$5,000, and the related budget amendment decreasing the project budget by \$500. Motion carried 5-0.**

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the State Homeland Security Grant Program 2011 Sub-recipient Agreement, Project US1220 from the U. S. Department of Homeland Security on behalf of the Department of Public Safety and Information Technology for the amount of \$117,167, the related budget amendment, and the Department's suggested spending plan, and to authorize Public Safety staff to submit the grant award documents electronically, consistent with the hard copy reviewed. Motion carried 5-0.**

**6. Department of Finance** (*Elaine Kramer, Director*)

**Commissioner Jarboe moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the budget amendment reducing the appropriation authority and closing out the FIN11 Capital Reserve in the amount of \$3,684,663 and increasing the Paygo and Bond authority in the FIN12 Capital Reserve in the amount of \$99,401 on behalf of the Finance Department. Motion carried 5-0.**

**7. Public Information Office** (*Tony Jones, Public Information Officer*)

**Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the budget amendment to transfer the budget authority of \$2,400 from the County Administrator's staff development account to the Public Information Office for the purchase of audio visual equipment and a replacement lectern. Motion carried 5-0.**

**8. Department of Recreation and Parks** (*Phil Rollins, Director*)

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment to establish a project budget for the Wicomico Life Rings/Ladders grant, project #MD1247, in the total amount of \$5,000, in accordance with the grant agreement which was executed by Commissioner President Russell on November 22, 2011. Motion carried 5-0.**

**9. St. Mary's County Public Schools** (*Dr. Martirano, Superintendent of Schools;*  
*Gregory Nourse, Chief Fiscal Services and Human Resources*)

**Commissioner Jones moved, seconded by Commissioner Morgan, to approve the Board of Education request for an FY2012 supplemental appropriation in the amount of \$2,671,754 from the CareFirst refund to make a Post Employment Health and Life payment on or before December 31, 2011, as was approved by the Board of Education on November 9, 2011, and sign the consent letter stating this action. Motion carried 5-0.**

**DEPT. OF RECREATION AND PARKS: FINANCIAL REVIEW OF WICOMICO SHORES GOLF COURSE FOR FY11 & 2011 GOLF SEASON**

**Present:** Phil Rollins, Director, Dept. of Recreation and Parks  
Bob Richards, Chairperson, Wicomico Shores Golf Advisory Board

Mr. Rollins presented a financial summary of the Wicomico Golf Course along with the restaurant and banquet facilities. Although the restaurant/banquet facility has almost broken even, the golf operation is showing a deficit of \$138,112. Mr. Rollins provided several explanations for the low number of rounds of golf played which impacted revenue for the course. Factors included the weather (Hurricane Irene and Tropical Storm Lee), the bridge on 245 being closed, administrative costs, and the overall economy. Mr. Rollins noted that Wicomico is not the only golf course experiencing financial difficulties; golf play is down nationwide. He said staff continues to believe that self-operation is the best alternative because the facility was self supporting for more than twenty years prior to the economic downturn. Staff is confident that the fund balance deficit can be fully repaid when the economic situation improves and the golf course returns to profitability. He offered eliminating the \$49,000 administrative reimbursement charged to the Golf Enterprise and deferring the annual OPEB assessments (\$65,000 in FY12) until the course is profitable again for consideration.

**Commissioner Morris moved, seconded by Commissioner Morgan, to table voting on this issue until January to allow time for Mr. Rollins to provide the Board with cost cutting measures to cut the \$138,000 deficit. Motion carried 5-0.**

#### **DEPT. OF RECREATION AND PARKS: PROPOSED ELMS BEACH AND MYRTLE POINT PARK ENTRANCE FEE POLICY**

**Present:** Phil Rollins, Director, Dept. of Recreation and Parks  
David Guyther, Parks Mgr.; Tyrone Harris, Park Operations Coordinator)

Mr. Rollins reported that the Elms Beach and Myrtle Point Park Entrance Fee program instituted for the 2011 season was a success and recommended continuing the policy with a few minor changes. Staff recommended: (1) keeping the daily fees at \$5 for County residents and \$10 for non-county residents; (2) keeping the \$20 Season Pass for County residents, adding a non-County Season Pass for \$40, and adding a single park season pass for \$15 for residents and \$30 for non-residents; (3) eliminating the \$15 van fee for non-County residents; (4) beginning the season the first weekend in May rather than Memorial Day weekend and still ending on Labor Day; (5) extending the weekend/holiday hours from 8-6 to 8-dusk; and (6) designating the shoulders at the end of Patuxent Blvd. as part of the parking area for Myrtle Point Park.

*Commissioner Morris asked if consideration was given to allowing senior citizens free access to the parks as he suggested previously.*

The Commissioners discussed how you would enforce a “free senior accessibility policy” when fees are *per car* rather than *per individual* and determined that it would not be feasible to try to enact such a policy.

**Commissioner Jones moved, seconded by Commissioner Morgan, to adopt the Elms Beach and Myrtle Point Park Entrance Fee Policy, including modifications as outlined in the October 20,**

**2011, memo presented to the Board of County Commissioners at its November 8, 2011, meeting. Motion carried 3-2. Commissioners Morris and Jarboe voted Nay.**

**DEPT. OF LAND USE AND GROWTH MANAGEMENT: DECISION ON PROPOSED ADOPTION OF THE 2009 NATIONAL STANDARD PLUMBING CODE ILLUSTRATED AND 2009 NATIONAL FUEL GAS CODE AS THE ST. MARY'S COUNTY PLUMBING AND FUEL GAS CODE WITH LOCAL AMENDMENTS**

**Present: Brian Taylor**, Code Coordinator, Dept. Land Use and Growth Management

A Public hearing was conducted on October 13, 2011, to hear testimony on the 2009 National Standard Plumbing Code Illustrated and 2009 National Fuel Gas Code as the St. Mary's County Plumbing and Fuel Gas Code with local amendments. The record was kept open for 10 days with no written testimony received.

**Commissioner Jarboe moved, seconded by Commissioner Morris, that the draft Code that was the subject of the October 18, 2011, public hearing be amended by deleting Article 1, Section 250-1, G.(1) through (5) concerning unlicensed Homeowner Exams. Motion carried 5-0.**

**Commissioner Jarboe moved, seconded by Commissioner Morris that the Board of County Commissioners adopt the proposed Ordinance, as revised, adopting the 2009 National Standard Plumbing Code Illustrated and the National Fuel Gas Code, NFPA 54, ANSI 223.1, as amended, as the St. Mary's County Plumbing and Fuel Gas Code. Motion carried 5-0.**

**COMMISSIONER'S TIME**

The Commissioners highlighted events attended over the past week.

**CALL FOR MOTION TO ENTER INTO EXECUTIVE SESSION:**

**Commissioner Morgan moved, seconded by Commissioner Jones, to enter into Executive session for the purpose of discussing personnel matters, specifically, appointments to Boards and Committees. Motion carried 4-1. Commissioner Jarboe voted nay.**

**EXECUTIVE SESSION: PERSONNEL (APPOINTMENTS TO BOARDS AND COMMITTEES)**

Personnel

Present: Commissioner Francis Jack Russell, President  
Commissioner Lawrence D. Jarboe

Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
John Savich, County Administrator  
George Sparling, County Attorney  
Sarah Cannavo, Boards and Committees Coordinator  
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 11:41 am – 12:30 pm  
Subject Discussed: Personnel (Appointments to Boards and Committees)

## **PUBLIC FORUM**

Commissioner Russell opened the Public Forum at 6:00.

Public Comments. (Comments as noted below are intended as highlights of testimony given and are not verbatim.)

### **R. B. LaMell, Lexington Park, MD**

- Husband 100% disabled Veteran and cannot get exemption on local property taxes
- Does not understand reason for denying exemption – it is not right
- Contacted Senator Dyson and will continue to work with his office

### **Minnie Russell, 16477 Dunbar Lane, Ridge, MD 20680**

Discussed legal issues concerning her property boundaries and ingress/regress to Fox Harbor pier.

*Commissioner Russell suggested she talk with her Attorney as this is a judicial matter.*

### **Mindy Jones, Valley Lee, MD 20692**

- Critical area concerns – need to look to the future
- Current County regulations do not allow impervious pavers or rock pavers
- Annapolis has imposed law that if you cut down a tree you need a permit and this is not good for St. Mary's County
- Suggested granting amnesty to citizens who purchased property some years ago and may not comply with new regulations
- Advocate for what is best for St. Mary's County

### **Paul Kelly, 41885 Medley's Neck Rd., Leonardtown, MD 20650**

- Interested in American Natural Gas
- Trend now is to harvest natural gas from shell
- Reduce the consumption of oil by using natural gas because gas is cheaper
- Wants County to investigate the use of natural gas for fuel and incorporate in STS and school buses
- Wants County to establish a timeline to do this

**Ms. Kimberly Johnson, 40335 Beach Drive, Mechanicsville, MD 20659**

- Concerned with Mental Health services in County
- Wants to know how dollars for Mental Health are spent in the County and if they are being spent correctly
- Asked why paying big dollars for a Division Head to be a Mental Health Case Worker
- Asked who's writing grants to get more money for Mental Health services
- Asked Commissioners to budget for Mental Health during the budget process
- Look at Mental Health structure in other counties
- Not asking for herself but for all of the people in St. Mary's County who are struggling with the same issues

**Henry Camaioni, 40698 South 40 Dr., Leonardtown, MD 20650**

- Concerned with PlanMaryland
- Feels individuals have lost enough rights and this is just taking something else away
- Project Open Space and Rural Legacy Area Plan are examples of being told what you can do with your land
- Asked Commissioners to think long and hard on what they are supporting

**Ben Burroughs, P. O. Box 207, Mechanicsville, MD 20659**

- Mental Health issues are a big problem and supports the need for Mental Health Services in the County
- Against any increase in hotel tax – might drive people from staying in the County

**Chris Meyers, Leonardtown, MD 20650**

- Concerned with Public School Budget
- Education budget impact on children in schools
- Education should be a priority during the budget cycle

**William R. Hamel, Mechanicsville, MD 20659**

- Frank Knotts farm issue
- Board of Appeals meeting that was scheduled for Thursday, 8 December was cancelled
- Notified by LUGM that Board of Appeals not showing up -- just hearing examiner
- Did not get staff report until after our written responses were due
- Wants public hearing before the Board of Appeals – read comprehensive zoning ordinance and it states that Board of Appeals will hold public hearings
- The process needs to be explained to staff because conflicting guidance is being given
- If you change processes, you should put them in the zoning ordinance

*County Attorney George Sparling explained that only 3 members of the Board were available to attend the Thursday meeting and at least one of the three may not be on the Board of Appeals when new appointments are made on January 1. It would not be feasible to start the process if the same people were not on the Board of Appeals in January. The County adopted a Resolution for appointment of a Hearing Examiner to hear and receive evidence, make findings of fact, state conclusions of law, recommend an action by the Board of*

*Appeals, and report such findings, conclusions and recommendations to the Board of Appeals. A hearing before the Board of Appeals would follow.*

**Michael J. Lusk, 38941 Reeves Road, Mechanivsville MD 20659**

- Follow up on petition submitted to the Board on August 31, 2010, with 300 signatures
- Requested status on 1000 ft. buffer zone between houses and slaughterhouse
- You advised it would be handled by a text amendment
- Emailed Commissioners on April 12, 2011, and have not received a response
- When are you going to proceed with the text amendment to make it a reality for residents of St. Mary's County

Commissioner Russell closed the Public Hearing at approximately 7:15.

**JOINT PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS & ST. MARY'S COUNTY DELEGATION ON THE 2012 LEGISLATIVE PROPOSALS**

**Present:** David Weiskopf, Deputy County Attorney;  
George Sparling, County Attorney

Also in attendance: Delegate John Bohanan, Jr.  
Delegate Anthony O'Donnell  
Delegate John F. Wood, Jr.

The purpose of the Joint Public Meeting was to provide an opportunity for the Commissioners, the Delegation, and the public to hear presentations and provide comments on the 2012 Legislative Proposals. Thirteen proposals were submitted for 2012.

Mr. Sparling and Mr. Weiskopf reviewed the proposals. The Board and Delegation provided comments and discussion, followed by public comments.

**PROPOSAL #1.** To allow St. Mary's County school buses to be operated for 15 years rather than the current 12 years, given that the buses meet the applicable school bus and motor vehicle safety standards. *Proposed by Board of Education.*

Delegate O'Donnell asked if the proposal was to add "St. Mary's County" to the existing list of other counties that fall under this Code or if it is to change the language of the Code. He is supportive of the concept to add St. Mary's County, but if you change any of the text it will not be just a local issue and it would have to be coordinated with the other counties affected. Delegate Bohanan agreed.

Mr. Sparling said the requested changes would change the language of the standard to add maintenance in accordance with Code of Maryland Regulations for the Maryland State Board of Education and Maryland State Department of Transportation.

Jeff Thompson, Director of Transportation for St. Mary's County Public Schools, commented that buses in St. Mary's County are currently being operated more than 12 years, and although the other counties are under this Code, they do not feel they are required to adhere to the Code of Maryland Regulations for the Maryland State Board of Education and Maryland State Department of Transportation. That is why it is spelled out in this proposal. Dr. Martirano said that the bottom line is that the school system wants St. Mary's County added to the list of counties in the current Code that are allowed to operate their buses for 15 years.

**Public Comment:**

David J. Gainer, 27406 Dewey Pl., Mechanicsville, MD

Mr. Gainer, a 21 year veteran driver in the school system as well as a contractor, said he feels that in about 10 years buses have had it. It is costing the contractors for the repair and not the school board. He feels 12 years is almost pushing the limits. If you operate 15 years it costs you more money in repairs than you get back. Some buses go 130 miles per day for 180 days a year. This equates to about 400,000 miles in 15 years. The bus has to be inspected, and in 15 years you are dealing with rust, springs, shocks, and the fatigue stress on metal is enormous. It cost the county more to buy the 72 passenger buses than the school board wanted, but we don't fill up the buses. There are a lot of things we don't ask for but the Board of Education asks for. Feel this is a wrong idea.

**PROPOSAL #2.** To correct typographical errors, inconsistencies, and ambiguities which were result of significant and comprehensive legislative changes which became effective October 1, 2007, relating to the Commission's rate restructuring. To delete archaic sections of the Commission's Code which are no longer accurate or applicable. To correct long-standing general inaccuracies within the Code.  
*Proposed by Metropolitan Commission.*

Mr. Sparling noted the proposed legislation is intended to correct a number of typographical errors and is not intended to change the way MetCom operates or interacts with its rate payers. There may be other changes in this bill before it is forwarded to the Delegation.

Commissioner O'Donnell asked if there are any substantive changes.

Mr. Sparling noted there were a couple changes in language that are of concern and MetCom will clarify.

Ms. Jackie Meiser, Metropolitan Commission, clarified that the amendment is largely the result of significant changes to Chapter 113 of the Code which became effective in 2007 and MetCom is trying to clean up some of those areas. A couple other changes relate to parts of the Code that are not accurate any longer. The Code is very old and things have changed. For instance, one part reads that notice of public hearings should be posted on telephone poles, and that is not how we do it these days. The threshold for competitive procurement is increasing from \$5,000 to \$10,000 because what you bought back then costs more today.

**Public Comments:**

Henry Camaioni, 40698 South 40 Dr., Leonardtown, MD 20650

Mr. Cammoni expressed concern with the statement that changes are “simple,” as one word can change the meaning of a document. He sees MetCom going through more and more efforts to separate themselves from the elected government officials, which can result in making them a more powerful organization. He asked for a copy of the proposed legislation so that he could review it.

**PROPOSAL #3.** To allow a small distillery in St. Mary’s County. *Submitted by Department of Economic and Community Development on behalf of Delegate Wood.*

This proposal would allow a legal distillery to produce no more than 27,000 gallons of its own liquor annually and hold a Class 1 manufacturer’s license. The distillery would be allowed to sell and deliver the brand of liquor produced on the premises to a retail licensee but not a licensed wholesaler. The Bridges Bill allows for a distillery, but there is no law that allows access to the public.

Delegate Wood feels the wineries have been such a success in Southern Maryland. Last year he was approached to look into this possibility and met with Alcohol and Tax people in Annapolis to discuss the possibility of a distillery in St. Mary’s County and they were in support of it. The farm where this would be made must be usable and zoned properly. Many years ago the County had distilleries, but they were illegal. This would be 100% legal. He feels this will teach children about part of their heritage. He also feels this is something that will attract tourism into the County.

Commissioner Morris suggested distilleries would be good for tourism as well as history and the County would get some extra tax dollars from it.

**Public comment:**

Richard Copsy, 23705 Three Notch Rd., Mechanicsville, MD

Mr. Copsy supports this proposal. Right now we can have a distillery, but there is no law to allow individuals to come in and tour to see how it is made.

**PROPOSAL #4.** To permit the sale of locally produced Class 4 winery wines at MDA farmers’ markets in St. Mary’s County. *Proposed by Dept. of Economic and Community Development for the Port of Leonardtown Winery.*

Mr. Weiskopf noted that Prince Georges, Montgomery, and Calvert Counties have a version of this proposed bill. The Market would be allowed to sell no more than 4 bottles per person, wine by the glass, and provide sample tasting of no more than one half an ounce.

**Public Comments:**

Richard Fuller, 46120 W. Bayview Terrace, Lexington Park, MD 20653

Mr. Fuller works at Leonardtown Winery, is a member of the winery cooperative, and supports this proposed legislation. Feels this would be exceptionally good at the Farmer's Market because it would allow the public a chance to ask questions concerning how crops are grown and the wine produced. He asked the Commissioners and Delegates for their support to push this legislation forward.

Delegate Wood asked if you would have to have a license since children would be working at the market.

Mr. Fuller said you would have to have a license and alcohol serving training.

**PROPOSAL #5.** Bond Bill in the amount of \$323,513 to complete the State Highway requirements for the Home Grown Farm Market and for the installation of bathrooms and a commercial kitchen.

*Proposed by Dept. of Economic and Community Development.*

Delegate O'Donnell expressed a general concern and asked if the County considered putting the funding for the State Highway requirements into the CIP Budget. May be other ways to fund this.

Ms. Sasser stated that the Home Grown Farmers Market is in operation with a temporary use permit. However, since Cigarette Restitution Funds were severely cut from the Southern Maryland Agriculture Development Commission's budget, it prevented the State Highway portion of Market to be completed. The state's requirements are for commercial operations, but we are trying to keep this as a rural operation. The County sent a letter to SHA asking them to consider continuing to fund this project to completion. Other avenues for additional funds are being explored.

Delegate O'Donnell said he would take under advisement and work with State Highway Administration on this.

Delegate Bohanan stated the County signed an agreement allowing them to move forward with this operation and agreed they would pay for highway requirements. He has no issue backing the bill for the kitchen and bathroom, but feels the highway requirements should not be a part of the bond bill. The requirement is the same that SHA puts on homeowners.

Commissioner Morgan said the road project cost more than the whole market. It is a tremendous cost the state highway is pushing to the County.

Mr. Savich said he will get information to the Delegation and will work to get funding into the CIP.

**No public comment.**

**PROPOSAL #6.** To revise the membership requirements for the St. Mary's County Agricultural Advisory Committee to those who are actively pursuing the production of agricultural products for a profit. Currently, members are required to earn 50% of their income from farming. (DECD)

Delegate O'Donnell asked how you determine if someone earns the percentage of their income from farming. No problem with concept, but how do we make sure they qualify.

Donna Sasscer stated that part of the problem now with the current Advisory Committee is that not all of them meet the 50% requirement. These people know agriculture and have a vested interest in it but can't meet the 50% requirement.

Delegate O'Donnell asked who makes the appointments to the Committee. (Board of County Commissioners)

Delegate Wood asked if there are members on committee now who are not qualified.

Donna Sasscer responded that people on the board are qualified, however, they do not meet the 50% requirement.

**No public comment.**

**PROPOSAL #7.** To clarify when the Redistricting Board is to be appointed. *Submitted by George R. Sparling, County Attorney, by request.*

Existing bill was enacted in 1974 when County had five commissioners and has not been revised since that time. This would set the date for appointing a redistricting board. A redistricting Board would be appointed after January 1 and prior to March in the year following the enactment and in the year following each decennial census.

**No public comment.**

**PROPOSAL #8.** To exempt St. Mary's County from the requirement that real property taxes be paid in advance when real property is transferred to the County. *Submitted by George Sparling, County Attorney.*

Mr. Sparling noted that this proposal was generated from his office to better affect the transfer of property to the County. The County purchased some property and could not file the deed because taxes had not been paid on it. The County would like their name to be added to other counties that are exempt from the requirement that real property taxes be paid in advance before it can be transferred to the County. It is important in acquisition of right-a-ways.

Delegate O'Donnell asked if this changes the language of the Code and was assured by Mr. Sparling that this is to just insert St. Mary's County on the list.

**PROPOSAL #9.** To give St. Mary's County the authority to create a Property Tax Credit for disabled veterans or a surviving spouse. *Submitted by George R. Sparling, County Attorney, by request.*

The proposed property tax would be for partially disabled veterans or their surviving spouse who are honorably discharged or released under honorable circumstances from active military, naval or air service as defined in 38 U.S.C. § 101 and have been declared by the Veterans Administration to have a permanent 30% or greater service-connected disability that results from blindness or other disabling

cause that is reasonably certain to continue for the life of the veteran and was not caused or incurred by misconduct of the veteran. The potential impact to the County is \$2,305, assuming a property assessment of \$269,000. You could adjust the amount by either increasing or decreasing the percentage of disability or the age requirement.

Commissioner Morris said this is recommended as a tool to attract military families to retire in this County. We can give the Commissioners authority to look at this and determine later the requirement age and the percentage of disability. This is a way to recognize those individuals who have put themselves on the line and done so much for us.

Delegate Bohanan asked if the Delegation should assume the Commissioners have signed off on all of the proposals presented tonight. He noted that the state offers a tax credit for 100% disability, and up until 10 years ago, spouses were not entitled to that credit but that was changed.

Mr. Sparling responded that no Board action has been taken on the proposals to date.

Delegate O'Donnell wants to understand the financial impact and would like any notes Mr. Sparling has on the fiscal impact. He supports all veterans but wants to understand the fiscal impact not only now but in the future.

**No public comments.**

**PROPOSAL #10.** To reduce the taxable income of a physician with military experience who relocates to St. Mary's County and treats honorably discharged veterans and their families. *Proposed by George Sparling, County Attorney, by request..*

Commissioner Morris stated the number of physicians per capita is less in St. Mary's County than any other county in the state and MedStar has the figures to prove it. He feels that as the downsizing of the military continues, many military doctors will be returning and looking for work. He has been meeting with St. Mary's Hospital and MedStar encouraging them go to military bases to recruit military physicians. MedStar is willing to use their marketing abilities to accommodate this. We need doctors especially for our children and seniors. Last year St. Mary's Hospital's Emergency Room had 55,000 visits. Commissioner Morris would like to see a tax credit similar to the one that is given to volunteer firemen.

Delegate Wood agrees with the concept, but asked if you would limit the tax credit to only military physicians. Would you give someone graduating from college the same benefit as you would a military person. He also asked how long they would be given tax relief.

Commissioner O'Donnell thanked commissioners for thinking outside the box and working on this, but noted that St. Mary's County is not the only county with a deficit of physicians. Other rural areas are facing the same issue. The rural caucus in House of Delegates has taken up this issue.

**No public comment.**

**PROPOSAL #11.** To increase the public accommodations tax (hotel rental tax) rate from 5% to 7.5% to increase revenue in the County. *Proposed by George Sparling, County Attorney, by request.*

This proposal was suggested last year during budget sessions and would generate more revenue for the County. In FY2012 the budgeted amount for hotel rental tax was \$750,000. The fiscal impact if the rate was 7.5% instead of 5%, would mean an increase of \$375,000 in revenue.

Commissioner Morgan said he supports this as a novel way to increase income to the County and have less impact on our taxpayers.

Commissioner Jarboe expressed concern that this might drive people to go to other Counties where tax rates were lower.

Delegate Wood said he agreed with Commissioner Jarboe and is not sure companies would put up with paying the higher tax to bring individuals into the County. He is concerned with what it would do to the local economy if individuals acquire hotel accommodations in the other two counties where they would also spend their dollars on food and shopping. The County would then lose money.

Commissioner Morgan said from a base contractor perspective, we recognize there is per diem rate. Previously Charles and Calvert Counties had a higher per diem rate. In the DoD world, you don't ask what the taxes are on the room. Individuals receive the per diem rate and tax is added after the fact.

**Public comments:**

Henry Camaioni, 40698 South 40 Dr., Leonardtown, MD 20650

Mr. Camaioni commented that the military has a hotel on base and other services, and if they are full, he would hate to see the military priced out of the County when they are here. We must have a comparable price. We don't want to see our military go across the bridge.

**PROPOSAL #12.** To allow St. Mary's County to collect a sales and use tax on short-term vehicle rentals to increase revenue in the County. *Proposed by George Sparling, County Attorney, by request.*

Maryland has a tax on short-term vehicle rentals and this would allow the County to do the same. This is also discussed at the budget hearing last year.

Commissioner Morgan said he knows when you rent a car at BWI or other airports and come down here you would not make money. However, traveling from here to the airports would generate funds. This is just another way to bring in extra revenue.

Delegate O'Donnell said most of the cars rented here are by local citizens driving out of the area.

Commissioner Jarboe expressed concern that anytime you increase taxes it hurts the businesses more than it generates revenues.

**Public Comments:**

Henry Camaioni, 40698 South 40 Dr., Leonardtown, MD 20650

Mr. Camaioni expressed concern that these cars are used by the military and this might adversely affect them. You would end up hurting the customer.

Delegate O'Donnell asked who determines the fiscal impact on these legislative proposals.

Mr. Sparling responded that if it is from a revenue stream, the Finance Office provides the impact statement. Others are provided by his office based on research. Delegate O'Donnell requested any additional information on these proposals and asked if there is a consistent process used in the County to analyze this type of data.

**PROPOSAL #13.** To allow the Building Trades Foundation, an affiliate of the St. Mary's County Public School System, to save on the cost of building a house by exempting them from the building impact fee of \$4,500. *Proposed by George Sparling, County Attorney, by request.*

Existing legislation provides that the County Commissioners have the authority to grant exemption of the impact fee for low income families housing. This proposal would broaden that authority of the County Commissions to allow eligibility to any non-profit organization engaged in building affordable housing for low income families. Financial impact is unknown at this time.

Hans Welch, Dept of Economic and Community Development, stated he works with impact deferrals for low income families and receives approximately 60 per year, but we don't use that many. This is just one request that is for one home being built by the building trades group. This would open it up to all non-profit organizations. The key is that the County Commissions would have the ability to grant or deny the request.

**No public comments.**

Commissioner Russell asked if there were any further comments on any of the proposals.

**Public Comment:**

Henry Camaioni, 40698 South 40 Dr., Leonardtown, MD 20650

Mr. Camaioni referred back to the MetCom proposal and asked the Commissioners to take another look at the document. He reviewed some of it and feels MetCom wants approval to levy taxes without government approval. He feels major property rights are being compromised when you read section stating that an employee or agent of the Commission shall have the right to entry upon any private premises or into any building in the sanitary district while in pursuit of his official duties. He feels this is above and beyond what their authority should be and suggested the whole section be taken out. He stated there is more to the MetCom proposal than clerical items.

**ADJOURNMENT**

Commissioner Russell closed the Joint Public Meeting and adjourned the Board of County Commissioners meeting at approximately 9:15 pm.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

\_\_\_\_\_  
Sharon Ferris, Senior Administrative Coordinator (Recorder)